REMARKS

The final Office Action dated January 4, 2006 has been reviewed and the Examiners comments carefully considered. Prior to this paper, claims 66-69, 71-104 and 106-127 were pending in the application. By this paper, Applicants do not cancel or add any claims, but do place claims 88 and 114 into independent form (the scope of the claims being the same as that of the previously pending claims). Therefore, claims 66-69, 71-104 and 106-127 remain pending.

Applicants respectfully submit that the present application is in condition for allowance for at least the reasons that follow.

Interview of March 30, 2006

Examiner Rao is thanked for extending the courtesy of an interview to Applicants' representatives on March 30, 2006, where it was agreed that "claim 88's 'usurping' function appears to be directed towards allowable subject matter."

In view of the Personal Interview held on March 30, 2006, Applicants submit that the Interview Summary (a copy of which is attached in Appendix A) provides a complete and proper recordation of the substance of the interview, per MPEP §713.04.

Applicants again sincerely thank Examiner Rao for extending the courtesy of the in-person interview.

Claim Rejections Under 35 U.S.C. §103(a)

In the Office Action, all of the claims are rejected under 35 U.S.C. §103(a) as being unpatentable over Amini (U.S. Patent No. 6,698,021) in view of Yonezawa (U.S. Patent No. 6,008,837). Applicants respectfully traverse the rejection as to the claims above, and submit that these claims are allowable for at least the following reasons.

Applicants rely on MPEP § 2143, which states that:

> [t]o establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

It is respectfully submitted that at least the first and third criteria of MPEP § 2143 have not been met in the Office Action.

The Cited References Do Not Suggest All Claim Recitations

Even if the first requirement of MPEP § 2143 was satisfied in the Office Action (which it is not, as explained below), the cited references still do not meet the third requirement, which is that "the prior art reference (or references when combined) must teach or suggest all the claim limitations."

As a preliminary matter, Applicants divide up the claims into two sets: (I) those relating to variable camera control speed based on cursor position, and (II) those relating to queuing network users.

I. **Independent Claims 66, 78, 92, 101 and 119**: Claim 66 recites a method for providing control of at least one camera to at least one network user, comprising providing "at least one interface having a cursor . . . the at least one interface *generating* **variable speed camera control commands** *based on the cursor position* within the control area, and, *providing the variable speed camera control commands to the at least one camera*." In an exemplary embodiment of the invention of claim 66, the further that a user moves the cursor 76 from the origin 74, the faster the camera pans and/or tilts (depending on, for example, the orientation of the cursor 76 with the origin 74) in that direction. For example, if the user moves the cursor one inch to the right and one inch above the origin, the camera might pan

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ten degrees *per second* to the right and tilt ten degrees *per second* upward at, for example, the same time. If, for example, the user instead moved the cursor two inches to the right and two inches above the origin, the camera might pan twenty degrees *per second* to the right and tilt twenty degrees *per second* upward. That is, in this exemplary scenario, each horizontal / vertical inch of movement on a computer screen corresponds to an *increase* in camera speed of ten degrees *per second* in that direction, and thus the method entails generating *variable speed* camera control commands based on the cursor position. Such action provides for a fluid camera positional movement in the pan and tilt directions based on movement of the cursor.

The Office Action correctly recognizes that Amini does not disclose this feature, and asserts that Yonezawa fills in the missing elements of Amini. Applicants respectfully disagree. While Yonezawa does teach controlling camera position with a cursor, that is all that Yonezawa teaches in this regard. Yonezawa is interested only in providing a system to point a camera in a **direction** based on the repositioning of a cursor, and is uninterested in obtaining fluid control of a camera. Yonezawa is entirely directed towards a spatial relationship control. That is all. ***Speed* is not once referenced in Yonezawa with respect to camera motion.**

During the interview of March 30, 2006, col. 5, lines 15-20 of Yonezawa were discussed, and the PTO indicated that further consideration of this section would be undertaken. Applicants respectfully submit that nothing in this section teaches or suggests controlling a camera by a user "generating variable speed camera control commands based on the cursor position within the control area, **and providing** the variable speed camera control commands to the at least one camera."

First, Applicants again note that camera motion speed is not referenced with respect to this section. Indeed, at lines 17-18, Yonezawa states "respective pan, tilt and zoom control *amounts* are calculated." (Emphasis added.) (That is, the amount of movement is calculated – not the speed at which that movement is accomplished.) Second, Applicants submit that, at most, col. 5 is teaching the possibility that a computer system may be reprogrammed (*i.e.*, new values may be stored in a memory) to change the amount of camera pan and tilt *from*

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one programming session to the next. That is, for example, after one programming session, the memory may include values to move the camera twenty degrees for every one inch of cursor movement, and after a subsequent programming session, the memory may include values move the camera 15 degrees for every one inch of cursor movement instead of the prior twenty degrees of movement, hence the reference to "values stored in the memory unit 34 *at that time*." (Yonezawa, col. 5, lines 19-20, emphasis added.) There is nothing here about changing the speed of camera movement between two programming sessions, only the "pan, tilt and zoom control amounts." Still, assuming *arguendo* that Yonezawa did teach changing camera movement speed in this section (which it does not), all that would be taught is varying camera speed based on reprogramming operations, and not based on cursor position as is required by claim 66. Yonezawa simply does not remedy the deficiencies of Amini.

Independent claims 78, 92, 101 and 119 recite recitations relating to variable speed camera control based on cursor position, and are thus allowable for at least the pertinent reasons just detailed, along with the claims that depend therefrom.

II.   Independent Claims 85, 88, 111, 114 AND Dependent Claims 77 and 110: Claim 85 recites a method for administering control of at least one camera to at least one network user, comprising "*associating at least one queue* with the at least one camera, receiving a request from one of the at least one network users for control of the at least one camera, associating the request with one of the at least one camera, and *conditionally placing the at least one network user in the at least one queue* associated with the request."

In an exemplary embodiment of the invention of claim 85, there is a camera system in which multiple users desire to *control* a camera, and the multiple users are placed in a queue to await their turn. Amini does not teach or suggest such a feature, and Yonezawa does not remedy this deficiency of Amini.

During the interview of March 30, 2006, Applicants representative argued that Amini limits his teachings regarding queuing users (assuming *arguendo* that such teachings are

present) to access to *stored or archived* images *previously* captured by a camera, and does not teach the recitations relating to queuing and camera control according to the claims. The PTO agreed that there is not such specific teaching in Amini, but indicated that Amini might suggest such due to the language at col. 16, lines 35-45 of Amini, where Amini states that the "camera control process begins at step 1302 with a user *selecting* a camera 312 to be controlled. This *selection* process has been described above in the context of both live video image loading and archived video retrieval." (Emphasis added.)

Applicants respectfully submit that while Amini does indeed refer to a camera selection process as described elsewhere therein, camera *selection* is not the same as camera *control*. In the just-recited passage of Amini, all that occurs is the "selection of a camera 312 by a user from a *hierarchical menu* of a client's network of surveillance cameras." (Amini, col. 16, lines 39-40, emphasis added.) By "*hierarchical menu*," Amini does not refer to a queue, but instead merely refers to a system analogous to a hyper-linked "decision" tree in which a category from a group of categories of cameras is first selected, followed by perhaps the selection of a sub-category from a group of sub-categories of cameras within that selected category, followed by perhaps selection of a specific camera from a group of specific cameras (see, for example, Fig. 9A, box 910, which depicts how camera location is selected):

> The general process of retrieving archived video images can comprise two general steps, the *selection* of a particular camera 312 and the *selection* of a period of time of interest. As illustrated in FIG. 9A, user interface 900 includes frame 910 and frame 920. Frame 910 enables a user at client workstation 322 *to select a particular camera* 312. In this process, *the user can navigate through varying levels in a hyperlinked hierarchy* that describes a particular client's network of cameras. In FIG. 9A, Client X's hierarchy is, for example, divided into three separate regions, wherein Region 3 is further divided into four separate stores. Store 4 is further divided into three camera locations that are assigned to separate views within store 4. Assume that the user has selected the hyperlinked element, Camera Loc 1.

(Amini, col. 15, lines 22-29, emphasis added.) Amini does not refer in these passages to queuing users with regard to camera control, and instead merely teaches a method for a user to *select a camera* which to control. Indeed, in the flow chart of Fig. 13, to which the passage

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at col. 16 refers, there is no block indicating that even more than one user desires to control the camera. Claim 85 is thus not obvious in view of Amini.

Regarding Yonezawa, Yonezawa does not teach or suggest features that remedy the above identified deficiencies of Amini. Claim 85 is thus allowable.

Independent claims 88, 111 and 114, and dependent claims 77 and 110 also recite recitations relating to queuing users with regard to camera control, and are thus allowable for at least the pertinent reasons detailed above, along with the claims that depend therefrom.

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Claims 88 and 114 have been placed into independent form by this paper, and thus the amendments do not constitute a change in scope. These claims further recite the ability to permit a user to ***usurp*** control of a camera. As was discussed and tentatively agreed during the interview of March 30, 2006, these claims are not obvious in view of the cited references.

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In sum, even if the first requirement of MPEP § 2143 is satisfied, the third requirement of MPEP § 2143 is not satisfied in the Office Action, since the cited references do not teach each and every element of the present invention. Thus, the present claims are allowable.

<u>Lack of Suggestion or Motivation to Modify or Combine the References</u>

MPEP § 2143.01 states that "the ***prior art must*** suggest the desirability of the invention." (MPEP § 2143.01, subsection 1, emphasis added.) The Office Action appears to rely solely on the Applicants' disclosure for motivation to modify the reference to arrive at the invention relating to variable speed control based on cursor position. The Office Action cites nothing in the ***prior art*** that provides motivation to modify the reference to arrive at the invention of claims 66, 78, 92, 101 and 119. There is nothing in either of the cited references that suggests the desirability of Applicants' invention, and the Office Action does not provide

evidence that motivation to modify Amini is in the knowledge generally available to one of ordinary skill in the art.

Regarding the proffered motivation to combine the references to arrive at the invention of claims 85, 88, 111 and 114 and the claims that depend therefrom regarding queuing, Applicants respectfully submit that, assuming *arguendo* that the art did indeed suggest sufficient motivation to combine the cursor features of Yonezawa with Amini (which it does not, as just explained), ***that motivation is irrelevant, as none of these four independent claims recite recitations regarding <u>cursor control</u>***.

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Applicants submit that the motivation proffered in the Office Action to combine the references is not sufficient. The Office Action states a **result** of general implementation of the references: combination "would provide a user with *easier* control manipulation in accessing and directing networked cameras." However, Applicants respectfully submit that a *result* is not the same as *a reason why* one of ordinary skill in the art would be motivated to combine the references, however desirable those results may be. If motivation to combine references to establish a *prima facie* case of obviousness could merely be satisfied by a result-oriented analysis of the prior art, the first requirement (and second requirement) of MPEP § 2143 would be completely vitiated. This is because by identifying references that teach each individual element of a claimed invention, implementation of the teachings of the cited references almost always necessarily provides results according to a given invention under examination. Indeed, such an analysis relies on impermissible circular reasoning.

By analogy, if the Office Action's arguments were applied to the Wright Brothers' patent application for an airplane, that application would have been denied, because the combination of an engine connected to a propeller with a glider wing would have resulted in *easier* transportation over great distances. Innovation cannot be so easily dismissed.

In contrast to the result-oriented analysis proffered in the Office Action, the MPEP specifically states that "the prior art must suggest the desirability of the claimed invention." The Office Action, in relying only on results, does not identify where the prior art suggests the desirability of a camera control system according to the independent claims.

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In summary, because of the lack of suggestion or motivation in the prior art to modify the reference, the first requirement of MPEP § 2143 has not been met and, hence, a *prima facie* case of obviousness has not been established.

Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.
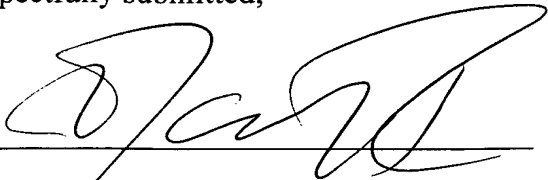
Examiner Rao is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

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Respectfully submitted,

Date _____ *April 04, 2006* _____   By _____

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